

**REMARKS****Summary of the Office Action**

A new title of the invention is required because the title is allegedly not descriptive.

Claims 1-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Satoh et al. (U.S. Patent No. 5,903,531) (hereinafter "Satoh") further considered with Maurer et al. ("U.S. Patent No. 5,619,562) (hereinafter "Maurer").

**Summary of the Response to the Office Action**

A new title is presented in response to the requirement for a new title. Applicant has amended each of independent claims 1, 11 and 12 to include features of previous claims 2 and 4 as well as to include additional features to differently describe embodiments of the disclosure of the instant application's specification. Accordingly, claims 2 and 4 have been canceled without prejudice or disclaimer. As a result, claims 1, 3, and 5-12 currently remain pending for consideration.

**New Title Requirement**

A new title of the invention is required because the title is allegedly not descriptive. A new title is presented in response to the requirement for a new title. Withdrawal of the requirement for a new title is respectfully requested.

**Rejection under 35 U.S.C. § 102(b)**

Claims 1-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Satoh further considered with Maurer. Applicant has amended each of independent claims 1, 11 and 12 to include features of previous claims 2 and 4 as well as to include additional features to differently describe embodiments of the disclosure of the instant application's specification. Accordingly, claims 2 and 4 have been canceled without prejudice or disclaimer. To the extent that these rejections might be deemed to apply to the remaining claims as newly-amended, they are respectfully traversed for at least the following reasons.

The Examiner stated in the Office Action that claims 1 to 12 are rejected based on Satoh and Maurer. Applicant respectfully submits that there are particular differences between newly-amended independent claim 1 of the instant application, and the applied Satoh and Maurer references.

Applicant respectfully submits that an important feature of newly-amended independent claim 1 of the instant application is that "the information obtaining device obtains the necessary information for reproduction according to the type of the recording medium based on a faster one of the determination of the type of the recording medium by the determination device and the selection of the type of the recording medium by the selection acceptance device". See, for example, the second embodiment discussed beginning at page 20, line 15 of the instant application's specification. Applicant respectfully submits that at least this feature of newly-amended independent claim 1 of the instant application is not disclosed or suggested in either of the applied references.

In this regard, Applicant notes that Satoh discloses “[i]n the automatic mode, ... [i]t is also possible that the automatic judgment device functions even after a user makes judgment of the kind of the disk and inputs an initial system setting state by the manual operation.” See column 7, lines 34 to 43 of Satoh.

Applicant respectfully submits that the above-quoted portion of Satoh only means that in order to correct an error in a user’s judgment, despite a user’s input operation, a judgment is made by an automatic judgment device. Applicant respectfully submits that this portion in Satoh is clearly different from the above-discussed feature of the instant application’s newly-amended independent claim 1 which is intended to reduce time necessary to start reproduction after insertion of a recording medium. The applied secondary reference to Maurer fails to cure the above-discussed deficiencies of Satoh.

Similar features as discussed above with regard to newly-amended independent claim 1 of the instant application have also been added to the remaining independent claims 11 and 12 of the instant application. Accordingly, Applicant respectfully submits that similar arguments as discussed above with regard to newly-amended independent claim 1 of the instant application also apply to the remaining independent claims 11 and 12 of the instant application.

Accordingly, Applicant respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because neither of Satoh nor Maurer teach or suggest each feature of independent claims 1, 11 and 12, as amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2

USPQ 2d 1051, 1053 (Fed. Cir. 1987)." Furthermore, Applicant respectfully asserts that the dependent claims are allowable at least because of their dependence from independent claim 1, as amended, and the reasons set forth above.

### **CONCLUSION**

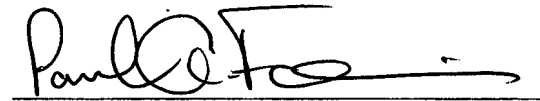
In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: April 16, 2007

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